

**LYNCHBURG CITY COUNCIL
Agenda Item Summary**

MEETING DATE: **March 8, 2005**

AGENDA ITEM NO.: 3

CONSENT:

REGULAR: **X**

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Conditional Use Permit (CUP) – Bountiful Blessings Evangelistic Church**

RECOMMENDATION: Approval of the requested Conditional Use Permit

SUMMARY: Bountiful Blessings Evangelistic Church is petitioning for a CUP at 2805, 2811, 2815 Langhorne Road, 2100, 2106, 2108 Memorial Avenue and 2107 Rose Lane to allow the construction of a new sanctuary and associated parking in an R-3, Two-Family Residential District. The Planning Commission recommended approval of the CUP because:

- Petition agrees with the *Comprehensive Plan* which recommends an institutional use surrounded by residential use for the area.
- Petition agrees with the Zoning Ordinance in that a church is a permitted use in an R-3, Two-Family Residential District upon approval of a CUP by the City Council.
- Petition proposes the construction of a new, larger sanctuary that would “anchor” this corner of Langhorne Road and Memorial Avenue.

Section 35.1-15(f) of the Zoning Ordinance states: “In approving a conditional use permit City Council may impose any conditions which it deems necessary or appropriate.”

PRIOR ACTION(S):

February 9, 2005: Planning Division recommended approval of the CUP
Planning Commission recommended approval (6-0 with 1 member absent) of the CUP with the following conditions:

1. The property will be developed in substantial compliance with the site plan to be prepared by Acres of Virginia.
2. The building will meet all building code requirements as determined by the Inspections Division.
3. An alley vacation request will be submitted and approved by the City Council prior to construction of the building.
4. A subdivision plat vacating all interior lot lines will be submitted and approved prior to occupancy of the building.
5. A landscape plan will be prepared, including shade trees in the parking areas and along Memorial Avenue and Langhorne Road, and other landscape material will be added as screening and foundation plantings. This landscape plan will be approved by the City’s Urban Forester and the City Planner.
6. The site will include at least 58 parking spaces, including two handicapped spaces.
7. All exterior lighting used on the site shall be glare-shielded and non-directional so that it does not illuminate adjoining properties.
8. Stormwater management will address both quantity and quality by a combination of inlet filters and bio-retention.

FISCAL IMPACT: N/A

CONTACT(S):

Rachel Flynn/ 455-3902
Tom Martin/ 455-3909

ATTACHMENT(S):

- Resolution
- PC Report
- PC Minutes
- Vicinity Zoning Pattern

- Vicinity Proposed Land Use
- Site Plan
- Narrative
- Speaker Sign-Up sheet

REVIEWED BY: lkp

RESOLUTION

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO BOUNTIFUL BLESSINGS EVANGELISTIC CHURCH TO ALLOW THE CONSTRUCTION OF A NEW SANCTUARY AND ASSOCIATED PARKING AREA IN AN R-3, TWO-FAMILY RESIDENTIAL DISTRICT AT 2805, 2811, 2815 LANGHORNE ROAD, 2100, 2106, 2108 MEMORIAL AVENUE AND 2107 ROSE LANE.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the petition of Bountiful Blessings Evangelistic Church for a Conditional Use Permit for the property at 2805, 2811, 2815 Langhorne Road, 2100, 2106, 2108 Memorial Avenue and 2107 Rose Lane allowing the construction of a new sanctuary and associated parking area in an R-3, Two-Family Residential District be, and the same is hereby approved, subject to the following conditions:

1. The property will be developed in substantial compliance with the site plan to be prepared by Acres of Virginia.
2. The building will meet all building code requirements as determined by the Inspections Division.
3. An alley vacation request will be submitted and approved by the City Council prior to construction of the building.
4. A subdivision plat vacating all interior lot lines will be submitted and approved prior to occupancy of the building.
5. A landscape plan will be prepared, including shade trees in the parking areas and along Memorial Avenue and Langhorne Road, and other landscape material will be added as screening and foundation plantings. This landscape plan will be approved by the City's Urban Forester and the City Planner.
6. The site will include at least 58 parking spaces, including two handicapped spaces.
7. All exterior lighting used on the site shall be glare-shielded and non-directional so that it does not illuminate adjoining properties.
8. Stormwater management will address both quantity and quality by a combination of inlet filters and bio-retention.

Adopted:

Certified:

Clerk of Council

040L

The Department of Community Planning & Development
City Hall, Lynchburg, VA 24504434-455-3900

To: Planning Commission
From: Planning Division
Date: February 9, 2005
Re: **CONDITIONAL USE PERMIT (CUP): Bountiful Blessings Evangelistic Church, 2805, 2811, 2815 Langhorne Road, 2100, 2106, 2108 Memorial Avenue, 2107 Rose Lane**

I. PETITIONER

Bountiful Blessings Evangelistic Church, 2805 Langhorne Road, Lynchburg, VA 24501

Representative: Irvin L. Ward, Sr., 372 Tanglewood Drive, Lynchburg, VA 24501

II. LOCATION

The subject property is a tract of about 1.37 acres located at 2805, 2811, 12185 Langhorne Road, 2100, 2106, 2108 Memorial Avenue, and 2107 Rose Lane, Lynchburg, VA 24501.

Property Owners: Bountiful Blessings Evangelistic Church, 2805 Langhorne Road, Lynchburg, VA 24501

III. PURPOSE

The purpose of this petition is to allow construction of a new sanctuary and expanded parking.

IV. SUMMARY

- Petition agrees with the Comprehensive Plan which recommends an institutional use surrounded by residential uses in the area.
- Petition agrees with the Zoning Ordinance in that a church is a use permitted in an R-3, Two-Family Residential District with approval of a Conditional Use Permit by the City Council.
- Petition proposes the construction of a new, larger sanctuary and additional parking.

The Planning Division recommends approval of the CUP petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The Lynchburg *Comprehensive Plan* recommends Institutional uses for this area, surrounded by Medium Density Residential uses. According to the Plan, institutional uses in residential areas should be compatible in scale and design with the residential uses. The setbacks for the proposed sanctuary, the proximity of other institutional uses, and the distance between the church and the nearest residences ensure its compatibility, so this proposed use will be in agreement with the Plan.
2. **Zoning.** The subject property was annexed into the City in 1908. The property has been zoned for two-family residential uses since 1942. The existing R-3, Two-Family Residential zoning was established in 1978 with the adoption of the current *Zoning Ordinance*.
3. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances will be needed for the proposed sanctuary and parking.
4. **Surrounding Area.** There have been several items requiring City Council approval in the immediate area:
 - 2/22/1979: City Council approved a Conditional Use Permit (CUP) for the Salvation Army to construct a new building at 2215 Park Avenue.
 - 8/11/1981: City Council approved a Conditional Use Permit (CUP) for Euclid Christian Church to operate a child care facility at 2220 Memorial Avenue.
 - 6/11/1985: City Council approved a Conditional Use Permit (CUP) for the Salvation Army for a game room addition at 2215 Park Avenue.
 - 11/11/1987: City Council approved a Conditional Use Permit (CUP) for Euclid Christian Church for a building addition, play area, and additional parking at 2220 Memorial Avenue.
 - 11/14/1989: City Council approved the rezoning petition of the Animal Emergency Clinic to rezone approximately 0.3 acre at 1000 Miller Park Avenue from B-1, Limited Business District, to B-3C,

Community Business District (Conditional) to allow the operation of a veterinary hospital with indoor kennels in an existing structure. AT the same time, Council approved a Conditional Use Permit (CUP) to allow the operation of the veterinary hospital.

- 6/8/1993: City Council approved a Conditional Use Permit (CUP) for the Salvation Army to allow operation of an emergency shelter for up to seven women and children in an existing structure at 807 Walnut Street.
 - 10/12/1993: City Council approved the rezoning petition of Education and Research Foundation, Inc., to rezone approximately 0.455 acre at 2041-2043 Third Street from R-5, High Density Residential District, to B-1, Limited Business District, to allow the use of an existing house for offices and construction of a parking lot for approximately 24 cars.
 - 1/9/1996: City Council approved a Conditional Use Permit (CUP) for Bountiful Blessings Evangelical Center to construct a church and parking area at 2805-2809 Langhorne Road.
 - 6/11/1996: City Council approved a Conditional Use Permit (CUP) for the Salvation Army to operate a child care center at 2215 Park Avenue.
 - 8/13/1996: City Council approved the conditional rezoning petition of C & C Development, L.L.C., to rezone approximately 2.3 acres at the corner of Memorial Avenue and Park Avenue from R-3, Two-Family Residential District, and B-1, Limited Business District, to B-3C, Community Business District (Conditional) to allow construction of a pharmacy.
 - 7/13/2004: City Council approved a Conditional Use Permit (CUP) for Bountiful Blessings Church to operate a child care facility at 2805 Langhorne Road and 2107 Rose Lane.
5. **Site Description.** The subject property is bounded in all four directions by residences, other institutional uses, and offices. E. C. Glass High School is across Memorial Avenue from the site.
6. **Proposed Use of Property.** The purpose of the CUP is to allow construction of a new sanctuary and expanded parking. The new sanctuary will have 175 seats and the parking area will include 58 spaces.
7. **Traffic and Parking.** The City Traffic Engineer has no comments of concern regarding the subject petition. The proposed use is not expected to generate a significant amount of traffic. The parking lot is being redesigned to create enough spaces to serve the proposed 175-seat sanctuary. The entrance off Memorial Avenue will be right-in, right-out only, as requested by the City Traffic Engineer and the City Planner. The main parking lot entrance will be on Langhorne Road, with a second entrance-only on Langhorne and an exit-only on Rose Lane. Parking will not be permitted directly adjacent to the house at 2107 Rose Lane; there will be a 20-foot setback.
8. **Storm Water Management.** A storm water management plan will be required for the construction of the new sanctuary and expanded onsite parking because disturbed areas will exceed 1,000 square feet.

The existing church shown on the site plan was built around 1999. The site plan information was prepared by Hurt & Proffitt, Inc. It is believed that an underground storm sewer detention system is already in place, but may not be connected to the city storm sewer. Therefore, it is not functioning properly, if it is functioning at all.

The applicant will check the adequacy of the facility to handle the existing and proposed development runoff quantity and detain stormwater as mandated by code. This storm detention system will be connected to the existing city storm sewer line along Langhorne Road. The quality of the stormwater will be managed by storm sewer filters, gravel, infiltration pits or bio-retention. Similar low impact stormwater measures will be used at the northern and southern ends of the property that do not drain to the existing stormwater system.

9. **Impact.** Bountiful Blessings' present sanctuary is located in the middle of the block between Memorial Avenue and Rose Lane. Parking is located next to the sanctuary. As part of its expansion plans, the church is buying the property at 2100 Memorial Avenue, 2811 Langhorne Road, and 2107 Rose Lane. Each of these structures will be demolished to create a larger site for the new sanctuary and parking. Once these properties are acquired, the church will own the entire half-block between Memorial, Langhorne, and Rose Lane. The church will need to submit a separate petition to vacate the alley that runs through the middle of

the block. The church will continue using the white house at 2108 Memorial Avenue as a temporary shelter and the structure at 2815 Langhorne as a beauty salon.

The church's present sanctuary is barely visible from Memorial Avenue. Once the church demolishes the residential structure, now used as an office, on the corner of Memorial and Langhorne Road, the new sanctuary will be constructed so that the side of the building closest to Memorial Avenue will be the same distance from the street as the demolished structure and the white house at 2108 Memorial Avenue. The sanctuary will be larger than the current one and will help anchor the corner by providing a continuous building along both Memorial and Langhorne. The lot on Memorial that is now vacant and haphazardly landscaped will be covered by the sanctuary and new landscaping.

The side of the new sanctuary will be approximately the same distance from Langhorne Road as the demolished office and the beauty salon. With attractive landscaping, the side of the sanctuary will create a unified streetscape along Langhorne Road, an improvement over the current mixture of buildings and setbacks.

Two sides of the church's property front on major thoroughfares, Memorial Avenue and Langhorne Road. The third side, facing Rose Lane, will be primarily parking and the beauty salon. On the fourth side, the property is bounded by the grass alley that runs through the middle of the block. The only residences adjacent are those that face Stuart Street, and they back up to the church, rather than face it. Thus, the Planning Division does not believe that the proposed expansion will have a negative impact on the surrounding neighborhood.

10. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the preliminary site plan on January 18, 2005. Comments related to the proposed use were minor in nature and have or will be addressed by the developer prior to final site plan approval.
 11. **Conditions.** According to Section 35.1-15 (f) of the Zoning Ordinance, the Planning Commission or City Council may impose any conditions deemed necessary or appropriate in approving a CUP.
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VI. PLANNING DIVISION RECOMMENDED MOTION

Based on the preceding Findings of Fact, the Planning Commission recommends to the City Council approval of the petition of Bountiful Blessings Evangelistic Church for a conditional use permit at 2805, 2811, 2815 Langhorne Road, 2100, 2106, 2108 Memorial Avenue, and 2107 Rose Lane to allow construction of a new sanctuary and expanded parking in an R-3, Medium Density Two-Family Residential District, subject to the following conditions:

1. **The property will be developed in substantial compliance with the site plan to be prepared by Acres of Virginia.**
2. **The building will meet all building code requirements as determined by the Inspections Division.**
3. **An alley vacation request will be submitted and approved by the City Council prior to occupancy of the building.**
4. **A subdivision plat vacating all interior lot lines will be submitted and approved prior to occupancy of the building.**
5. **A landscape plan will be prepared, including shade trees in the parking areas and along Memorial Avenue and Langhorne Road, and other landscape material will be added as screening and foundation plantings. This landscape plan will be approved by the City's Urban Forester and the City Planner.**
6. **The site will include at least 58 parking spaces, including two handicapped spaces.**
7. **All exterior lighting used on the site shall be glare-shielded and nondirectional so that it does not illuminate adjoining properties.**
8. **Stormwater management will address both quantity and quality by a combination of inlet filters and bio-retention.**

This matter is respectfully offered for your consideration.

William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney
Ms. Rachel O. Flynn, Director of Community Planning & Development
Mr. R. Douglas Dejarnette, Fire Marshal
Mr. J. Lee Newland, Director of Engineering
Mr. Gerry L. Harter, Traffic Engineer
Mr. Robert Drane, Building Commissioner
Mr. Robert S. Fowler, Zoning Official
Mr. Kent White, Environmental Planner
Pastor Irvin L. Ward, Sr., Representative

VII. ATTACHMENTS

1. Vicinity Zoning Pattern

(see attached map)

2. Vicinity Proposed Land Use

(see attached map)

3. Site Plan

(see attached site plans)

4. Narrative

(see attached narrative)

MINUTES FROM THE FEBRUARY 9, 2005 PLANNING COMMISSION MEETING

These minutes have been reviewed but not approved by the Planning Commission.

Petition of Bountiful Blessings Evangelistic Church for a conditional use permit at 2805, 2811, 2815 Langhorne Road, 2100, 2106, 2108 Memorial Avenue, and 2107 Rose Lane to allow the construction of new sanctuary and additional parking in an R-3, Medium Density, Two-Family Residential District.

Mr. Martin told the Commission that the petition was to construct a 10,000 square foot sanctuary addition to the existing church located at Langhorne Road and Memorial Avenue, and added that there would be a 53-space parking area in conjunction with the addition. He said the Comprehensive Plan did recommend institutional and residential uses for the subject properties. He explained that institutional uses such as churches were acceptable in these areas provided they were compatible in scale and buffered from adjacent residential areas. Mr. Martin commented that the church would help anchor this corner provided that it was constructed in an acceptable fashion. He said one alley would need to be vacated and should be done around the same time as the CUP approval. He continued by explaining that if the alley was not vacated, then the project could not move forward. He stated that the Planning Division did recommend approval of the CUP with the conditions included in the report.

Reverend Ward submitted a revised site plan to the Commissioners, which showed an additional five parking spaces, for a total of 58 spaces with an occupancy load of 175 persons. He explained that they had to remove five parking spaces along Rose Lane due to not being able to meet the twenty-foot setback requirement. However, he noted, they were able to add more parking spaces in their existing parking lot.

Commissioner Barnes asked if there were any indications from the neighborhood that they were in favor of the project.

Mr. Martin said there were no comments received from the neighbors against the project.

Commissioners asked if the house on Memorial Avenue would or would not be demolished as there was some discrepancy on the site plan. Commissioners also questioned the future of the beauty salon and the two alleys on the property.

Reverend Ward said the house on Memorial Avenue would not be demolished as the church had a lease purchase agreement on that house, and added that the church did own the beauty salon, which would remain as is.

Mr. Martin explained that one alley would be vacated and the other alley would be maintained by the City.

Mr. Martin pointed out to the Commission that Condition 3 should be amended to say:

“An alley vacation request will be submitted and approved by the City Council prior to ~~occupancy~~ construction of the building.”

He added that this amendment could be made in the motion.

Commissioner Worthington asked Reverend Ward if he had any difficulties with the conditions listed in the motion.

Reverend Ward responded that there were no concerns with any of the conditions. He added that the addition would be in the shape of an octagon, would be constructed of split-face block and plaster, and would be approximately twenty-five feet in height.

Commissioner Pulliam noted that the site plan did not show any landscaping.

Mr. Martin said the landscaping was addressed in the conditions with general guidelines. He said the church would have to meet the water quality requirements, which was usually handled by landscaping. He said he felt the site would be landscaped more that adequately.

After discussion Commissioner Bacon made the following motion, which was seconded by Commissioner Barnes and passed by the following vote:

“That the Planning Commission recommends to the City Council approval of the petition of Bountiful Blessings Evangelistic Church for a conditional use permit at 2805, 2811, 2815 Langhorne Road, 2100, 2106, 2108 Memorial Avenue, and 2107 Rose Lane to allow construction of a new sanctuary and expanded parking in an R-3, Medium Density Two-Family Residential District, subject to the following conditions:

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8. Stormwater management will address both quantity and quality by a combination of inlet filters and bio-retention.”

AYES:	Bacon, Barnes, Flint, Hamilton, Pulliam, Worthington	6
NOES:		0
ABSTENTIONS:		0

BOUNTIFUL BLESSINGS EVANGELISTIC CHURCH

#2805, 2811, 2815 Langhorne Road, #2100, 2106, 2108 Memorial Avenue

#2107 Rose Lane

Val. Map # 003-32-002/7, 9

Conditional Use Permit Request

Petitioner: Bountiful Blessings Evangelistic Church

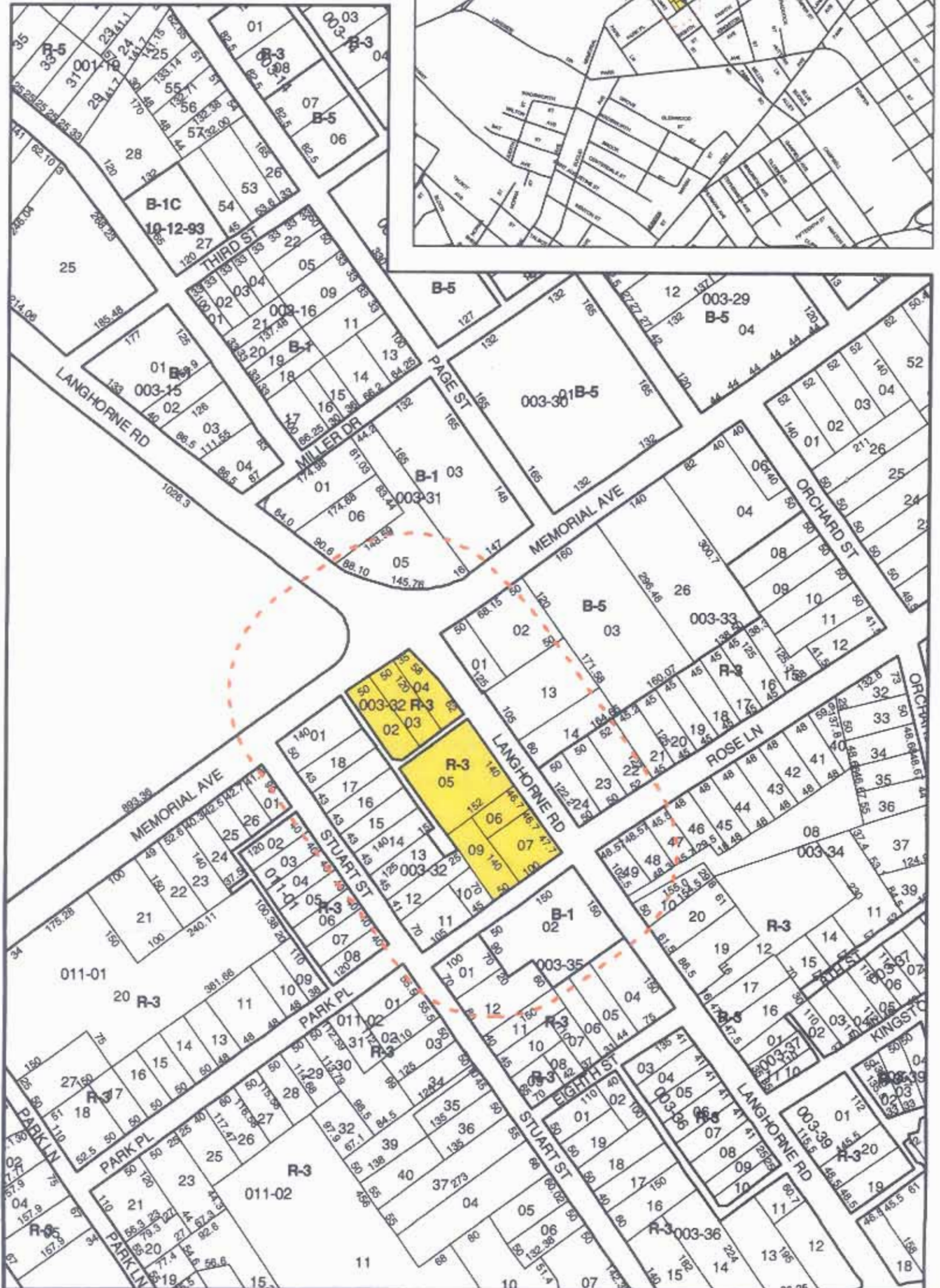
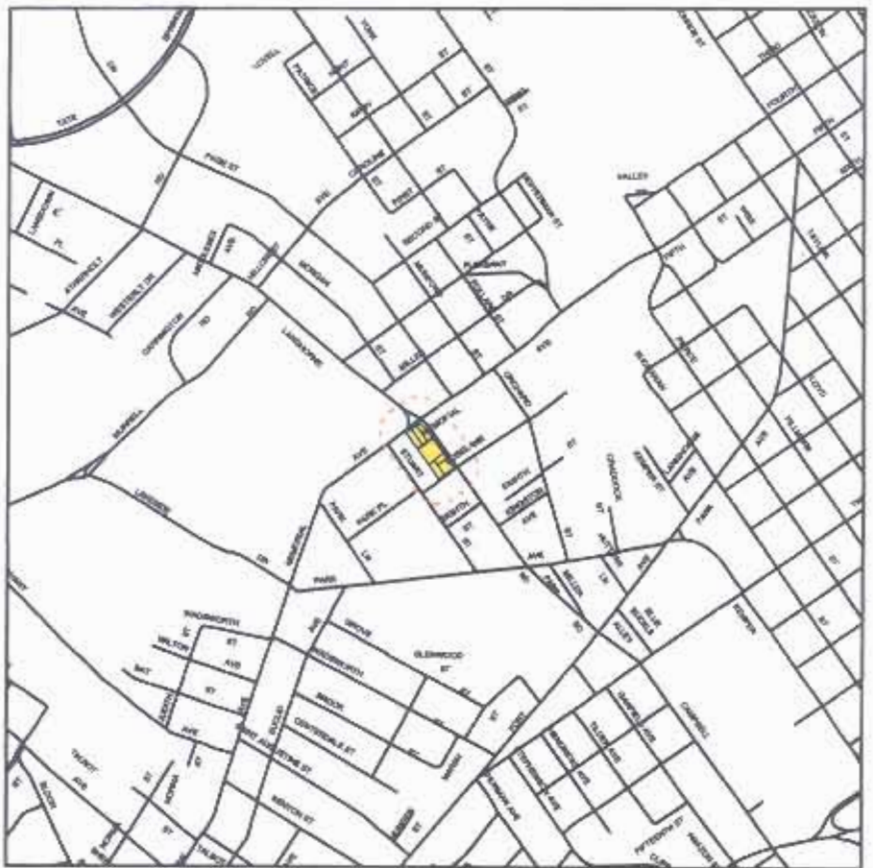
MAP PREPARED BY

THE DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT



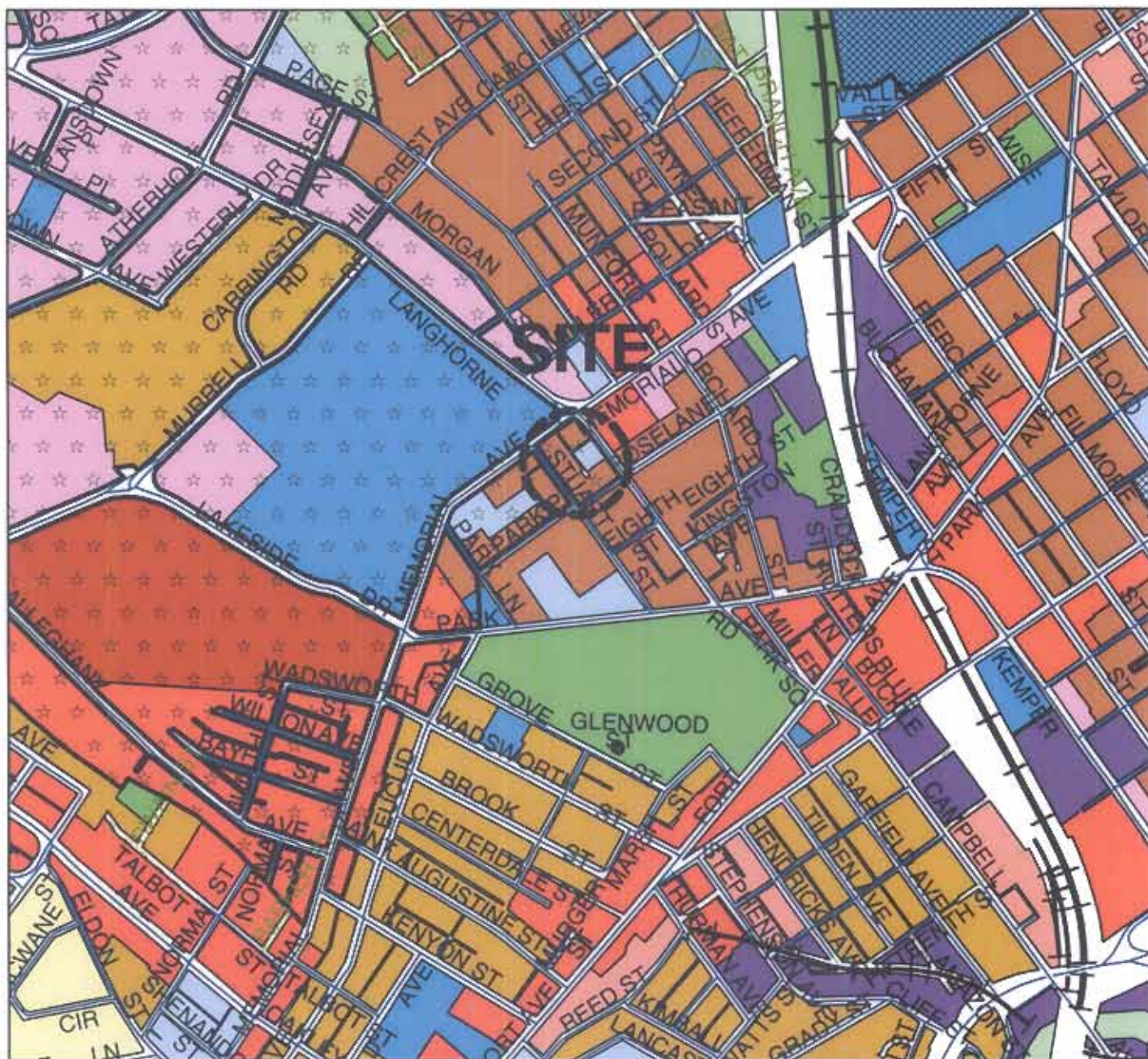
Subject Property

200 ft Radius



BOUNTIFUL BLESSINGS EVANGELISTIC CHURCH
Langhome Road, Memorial Avenue, and Rose Lane

PIN	OWNER
332004	ADAMS INVESTMENT PROPERTIES LLC
1101008	ALLEN WALTER S & DEBORAH D
332014	ANDERSON R MICHAEL & MATRICE
333023	BATEMAN BOBBY L & DENISE M
333001	BERRY REGINALD C & KAREN G
335002	BIG BROTHERS & SISTERS OF
332007	BOUNTIFUL BLESSINGS EVANGELISTIC CENTER TRUSTEES
332005	BOUNTIFUL BLESSINGS EVANGELISTIC CTR
1102001	CAMPBELL JOSEPHINE G
1101002	CHUMBLEY KENNETH L & JUDY G
402002	CITY OF LYNCHBURG SCHOOLS
335006	COLEMAN THOMAS E
334048	CREASEY JAMES R JR & SHIRLEY J
332017	DESAEGHER PAUL & MARY J
334008	DRINKARD GEORGE P & LOUISE B
334020	DUDLEY DELLA M
335001	FERGUSON ALVIN E
332003	GARNETT L EDWARD JR
1101006	HAMLETT RONALD L & INGRID M
332006	HOLMES MELVIN V
333022	HUBBARD JEROME E & JEAN M
334049	JEFFERSON BERNARD H
332018	JENNINGS KEVIN L & SMITH D L
332010	JET BUSINESS SOLUTIONS LLC
331005	LYNCHBURG CHAMBER OF COMMERCE ATTN: WARD KANODE
331003	LYNCHBURG LIFE SAVING CREW
335012	MARSHALL WALTER A & THELMA W
332011	OWENS GERALDINE F
1101005	PANTHOUT DIDIER ETALS
334046	PERRY DARRELL L
335004	REEVES DALLAS M & BIGLOW AMY D
1101003	RICHIE DONALD T & ANNIE B
335005	ROACH MABEL H
334010	ROBERTSON SANDRA L
1102002	SHAW DAVID D & YVONNE W
332015	SHEPHERD CHARLIE W & FLORENCE
332013	SHORTER S W ESTATE BANK OF AM TRES (995902897)
332012	SHORTER STERLIN W ESTATE BANK OF AM TRES (995924844)
332001	SIMOPOULOS PETER T & KANELLA K SIMOPOULOS
1101004	VIAR FRANKLIN E & CONNIE M
331006	W & W CORP
333024	WADE EDITH V
334047	WALTHALL HERMAN SR & LOUISIANA G
335011	WESLEY ALROSE Y
Owners	ADAMS INVESTMENT PROPERTIES LLC
	BOUNTIFUL BLESSINGS EVANGELISTIC CENTER TRUSTEES
	L EDWARD GARNETT JR
	MELVIN V HOLMES
Petitioner	BOUNTIFUL BLESSINGS EVANGELISTIC CENTER TRUSTEES
Representative	IRVIN L. WARD SR



BOUNTIFUL BLESSINGS
2805,2811,2815 LANGHORNE
ROAD, 2100,2106,2108
MEMORIAL AVENUE,
2107 ROSE LANE
LAND USE PLAN





Bountiful Blessings
WORLD VISION MINISTRIES

**2805 Langhorne Road
Lynchburg, VA 24501
(434) 845-3034
Office 237-9171 Fax**

**Pastor I. L. Ward, Sr., B.S., M.Ad.
Evangelist Barbara Ward, Co-Pastor**

1/31/05 12:33 PM

The City of Lynchburg, Virginia
Community Planning & Development Department
P. O. Box 60
Lynchburg, VA 24505

RECEIVED
JAN 31 2005
**COMMUNITY PLANNING
& DEVELOPMENT**

To Whom It May Concern:

Greetings! The information contained in this narrative is for the City Council to review and grant, **Bountiful Blessings World Vision Ministries** with a C. U. P., allowing the plans to go forth with the commencement of building the new Sanctuary.

Bountiful Blessings World Visions New Sanctuary will seat 175, house 4 offices, and provide 58 parking stalls. The new Sanctuary will be adjoining the existing Sanctuary at the right side.

The property at 2108 Memorial Avenue will continually be used as a rental unit. Properties located at 2100 Memorial Avenue, 2108 1/2 Memorial Avenue, 2811 Langhorne Road, and 2107 Rose Lane will be demolished.

Annette K. Brooks
Child Development Center
Director

"A Ministry Designed To Win Souls & Change Lives"